

Application No. 10/559,694  
Reply to Advisory Action of April 16, 2010

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Docket No.: 64609(70301)

### REMARKS

In the Advisory Action dated April 16, 2010, claims 1-9 and 11-19 are pending in this application, claims 3, 5-7, 13-16 and 18 are withdrawn from consideration, and claims 1, 2, 4, 8, 9, 11, 12, 17 and 19 are rejected. Reconsideration is requested for at least the reasons discussed hereinbelow.

In the Advisory Action, the Examiner maintained rejection for the following reason:

Applicant argues that the applied references do not suggest the use of vardenafil for the treatment of portal hypertension and its bleeding complications. This is found unpersuasive because *the instant claims are not limited to the treatment of hypertension or its complications.*

Applicant has considered the claims to be directed to the treatment (that is, administering therapy) of portal hypertension and its complications in patients that have been diagnosed with the disease. Applicant does not understand the Examiner's statement that "the previously examined claims did not require that the human be diagnosed with portal hypertension. The claims under consideration recited "therapy of a human diagnosed with portal hypertension." Thus, they did not cover a human diagnosed and treated for diabetes. None of the prior art suggests treatment with vardenafil of a human diagnosed with portal hypertension.

The present amendment is submitted to address the Examiner's concern that the claims could possibly be considered to include therapy administered for another a person, not diagnosed with portal hypertension but, diagnosed with another disease. If the Examiner prefers that the body of the claim include the step of diagnosing a human with portal hypertension or its complications followed by the step of administering the treatment, please call Applicant's undersigned attorney.

Because this reason for rejection had not been raised previously by the Examiner, Applicant requests consideration and entry of the present amendment as well as the paper filed March 31, 2010.

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In view of the amendment discussion above, Applicant respectfully submits that the pending application is in condition for allowance. An early reconsideration and notice of allowance are earnestly solicited.

Dated: April 28, 2010

Respectfully submitted,

By 

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